UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CHRISTINA CLEMENT and
HH EMPRESS QUEEN CHRISTINA LOCS IS OUR ARTIFACT OF FAITH

Plaintiff,

v.

Attorney General Merrick Garland;
Chief Justice John Roberts Jr.,
Secretary General of the United Nations;
Registrar-Peace Palace Carnegie Pleinz et al

Defendant,

Civil No: 1:24-cv-00479-RC

MOTION FOR RECONSIDERATION OF DISMISSAL ORDER and Objection

October 29, 2024 3:16 am

Beneficiary plaintiff, CHRISTINA CLEMENT, hereby moves this Court to reconsider its order dismissing the case without prejudice 1:24 cv 00479 RC dated October 28, 2024 ECF 84, for the following reasons:

1. Introduction

FACT: Plaintiff reminds the court, i filed several affidavit of service demonstrating that the Defendants were properly served in accordance with Federal Rule of Civil Procedure 4(m). The Court's dismissal appears to be based on a misunderstanding of the service requirements.

Fact: On September 16, 2024, ECF 72, Affidavit of Service submitted to the court

Fact: July 15, 2024, ECF 40 Receipts of mailings to defendants.

Fact: July 10, 2024 ECF 38 Explanation of all affidavit of service to assist clarifying with court.

RECEIVED
OCT 29 2024
Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

Fact: April 30, 2024 ECF 4 affidavit of Mailing of the initial notice of intent to file showing the 90 wait time before filing the court case 1:24 cv 00479 RC

2. Grounds for Reconsideration

Under D.C. Superior Court Rule 59(e), a motion for reconsideration is warranted when there **is a clear error of law** or newly discovered evidence.

1. A clear error of law in this undisputed case: **FACT:** The court made a mistake in applying the law to dismiss without prejudice instead of granting Default Judgement.

2. Newly discovered evidence: Evidence that was not available at the time of the original decision and could not have been discovered with reasonable diligence. **FACT**: Multiple attempts to follow rule of law and submissions to prove so has gone unheard and ignored.

3. Affidavit of Service

The Affidavit of Service, which confirms that the Defendants were served on several occasions, recorded on Civil Docket Sheet for this case. The affidavit details the method of service, which complies with the requirements outlined in Fed. R. Civ. P. 4.

Plaintiff overstands: In the context of civil procedure, the duty to prove delivery of legal documents, such as a complaint or summons, is primarily governed by Federal Rule of Civil Procedure 4 and D.C. Superior Court Rule 4. These rules outline how service of process must be conducted, including methods of service and proof requirements.

Key Points:

1. Federal Rule of Civil Procedure 4
   civil_federal_rules_pamphlet_dec_1_2023.pdf

- Requires that a summons and complaint be served to the defendant.

Fact: This evidence has been shown to the court once the summons was distributed on two separate days. On May 10, 2024, for Merrick Garland, ECF 7 (initially a blank copy was sent until I requested for a signed copy) and then the remainder summonses were delayed until August 19, 2024 for John Roberts, Sec General; 3 months later. What part of the rule of law allows this? Initially the clerk told me only one defendant was on record which was an error. But in any case, if there was only 1 defendant which would have been Merrick Garland then a default judgement was owed

However, I still followed Civil Procedure 4 and sent each copy of the signed complaint and summons. I originally had sent each an attached unsigned copy of their individual summons with the signed copy of Merrick Garland's summons and the complaint for their awareness of the case. It was my intent to have all parties in acknowledgement for a smooth discussion in court.

Fact: On September 16, 2024, ECF 72, Affidavit of Service submitted to the court for John Roberts and Sec General of United Nations. The International Court Justice we know is not within jurisdiction and regular mail was sent to them just for awareness**. A default Judgement was due on this day for both parties. And now all parties.**

Fact: July 15, 2024, ECF 40 Receipts of mailings to defendants.

Fact: July 10, 2024 ECF 38 Explanation of all affidavit of service to assist clarifying with court.

Additionally to the Civil Procedure:

- Specifies various methods of service, including personal service, **service by mail,** and others.

Fact: Beneficiary Plaintiff have provided all tracking receipts from third parties that are verifiable from both FEDEX and US POSTAL SERVICE. ECF 38,40, et al.

Fact: Because Plaintiff have not received responses to correspondence, I have sent the complaint to various other departments associated with defendants to assure they receive the notice and information.

- Rule 4 (ii) send a copy of each by registered or certified mail to the civil-process clerk at the United States attorney's office; (ECF 68 August 25,2024 shows this rule was met by the qualifications and merits of Merrick Garland and his office)

Fact: Beneficiary Plaintiff has provided these statements again referencing ECF 38, 40, et al.

2. D.C. Superior Court Rule 4

- Similar provisions regarding service of process and the requirement to provide proof of service to the court.

- This may involve filing an affidavit of service or other documentation confirming that service was properly executed.

Fact: Beneficiary Plaintiff have provided these documents for all parties.

These rules collectively emphasize the responsibility of the plaintiff to ensure that defendants are served and to provide evidence of such service to the court. The further mentions; If the plaintiff fails to meet these requirements, the court may dismiss the case, as outlined in Fed. R. Civ. P. 4(m) and corresponding local rules. **Fact: Plaintiff has not fail to meet these requirements.**

I, the Plaintiff have followed these steps and have proofed this by ECF (38,40, et al)

Based on this fact the court's Dismissal is in error

4. Legal Standards

Rule 4 (m), Fed. R. Civ. P. provides that " [i]f service of the summons and complaint is not made upon a defendant within **120 days (in this case June 13, 2024)** after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified period; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. The plaintiff demonstrated timely service, and should not lead to dismissal without prejudice. (See USPS tracking (1) 9589 0710 5270 0484 0897 34; (2) 9590 9402 8201 3030 5411 48; (3) 9590 9402 8201 3030 5411 31

Did the court adhere to this? "as long as it provides notice to the plaintiff beforehand"

Plaintiff have filed several notices to all defendants prior and during along with other official offices evident within this case.

Justice Manual | 43. Service Of Process | United States Department of Justice

In regards to notifying the defendant, several affidavits was submitted along with ECF filings to other associated officials (Pro tempore; The White house; United Nations;

Department of Justice; Senators office; Chief of Protocol; anti deficiency department; FEC; Members of Congress; Office of historian; Carnegie Endowment; Patty Murray; Federal registrar; Bureau of Fiscal Services; Treasury Department; IRS; Supreme Court; ICJ; Federal Trade Commission; The US Department of Education; US Department of Labor; District of Columbia Recorder of Deeds; Robin Carnahan US General Services Administration; Archivist of the United States; DHS Secretary; Congressional Advisory Committee; The House of Representatives and the Senate; Secretary of States; Appropriations Committee Court clerk; et al regarding this case along with the certification below each filing asserting that the court clerk will notify all parties. (See all ECF) and no one was able to notify the defendants in addition to my notices and the clerk submitted details to the defendants? That further warrants the default judgement.

With regard to relief from the application of these time requirements upon a showing of good cause, the 1993 Advisory Committee Note also refers to the provisions of Fed. R. Civ. P. 4(i)(3), "which provides for extensions if necessary to correct oversights in compliance with the requirements of multiple service in actions against the United States or its officers, agencies, and corporations." **The Judge has reset the deadline to October 18, 2024 and still no response which further warrants default judgement and Bill of Cost relief. See ECF 80 resulting in Objection to the order to et/reset deadlines to October 18, 2024.**

5. Prevention of Abuse of Process

Additionally, Plaintiff wishes to bring to the Court's attention that any intentional delay or misuse of legal procedures to stall rightful claims can be addressed under the doctrine of abuse of process. This principle applies when court personnel or judicial officers engage with the legal system for an improper purpose, as outlined in Guide to Judiciary Policy.

code_of_conduct_for_united_states_judges_effective_march_12_2019.pdf

The court recognized that abuse of process may arise from actions taken by judicial officers that improperly obstruct the fair administration of justice. One significant case where the court recognized that abuse of process may arise from actions taken by judicial officers that improperly obstruct the fair administration of justice is Pellegrino Food Prods co v City of Warren 136 f Supp 2d 391 407 (WD Pa 2000) The key elements of abuse of process is the malicious and deliberate misuse of regularly issued civil court process that is not justified by the underlying legal action, and that the abuser of process is interested only in accomplishing some improper purpose similar to the proper object of the process. Abuse of process is an intentional **tort.** Abuse of process encompasses the entire range of procedures incident to the litigation process such as discovery proceedings, the noticing of depositions and the issuing of subpoenas

Abuse of Process - The Basics and Practicalities | Stimmel Law

Plaintiff contends that certain actions by the clerks and judge, such as unwarranted delays in processing filings or miscommunication regarding procedural requirements, may constitute abuse of process. Such conduct undermines the integrity of the judicial system and hinders the fair resolution of legitimate claims.

6. Objection to Dismissed Filings

Plaintiff also objects to the dismissal of all previously filed motions and documents. Each of these filings was made in good faith and served to advance and during the case. Dismissal of these documents without proper consideration undermines the Plaintiff's right to a fair hearing.

Plaintiff respectfully requests that the Court reconsider the dismissal of these filings and allow them to be reinstated, as they are integral to the case and reflect the Plaintiff's act to comply with procedural requirements.

7. Conclusion

For the reasons set forth above, Plaintiff respectfully requests that the Court reconsider its dismissal order and allow the case to proceed on the merits.

8:1. Rule 54(c) This rule states that a judgment should grant the relief to which each party is entitled, even if not specifically requested. This allows beneficiary plaintiff to seek a judgment that reflects the merits of my case.

2. Rule 55 If the defendant has not responded, I can seek a default judgment, which allows Plaintiff to demand judgment based on the defendant's failure to appear or respond.

3. Demand for Judgment and Bill of Cost

Plaintiff demands judgment in this matter under Rule 54(c) of the Federal Rules of Civil Procedure, which empowers the Court to grant relief (See Bill of Cost) based on the facts, regardless of specific requests. Given the compelling evidence and the Defendant's failure to respond, a judgment is warranted at this stage. Pursuant to D.C. Superior Court Rules 54, 55, and 56, Plaintiff seeks immediate judgment in favor of the Plaintiff to uphold justice and ensure the integrity of these proceedings.

Thank you for your attention to these urgent matters.

Respectfully submitted,

Rev. Dr. Christina Clement, Presidential Candidate of the US 2024
8 The Green, Suite A

Dover, DE 19901

678-780-5557

Rule 5 (c) Signing. A filing made through a person's electronic –filing account and authorized by that person, together with that person's name on a signature block, constitutes the person's signature.

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2024, I electronically emailed the foregoing with the Clerk of the Court using the email address dcd_intake@dcd.uscourts.gov, which clerk will send notice to all parties. **Rule 77(d)**

(d) **Serving Notice of an Order or Judgment**.

(1) *Service.* Immediately after entering an order or judgment, the clerk must serve notice of the entry, as provided in Rule 5(b), on each party who is not in default for failing to appear. The clerk must record the service on the docket. A party also may serve notice of the entry as provided in Rule 5(b).

Rule 77 - Conducting Business; Clerk's Authority; Notice of an Order or Judgment | 2024 Federal Rules of Civil Procedure

Further showing we all have contacted the defendants with no response.